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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

OCT 05-1034

UNITED STATES OF AMERICA,

PLAINTIFF

v.

DEFENDANT

Michael J. FossE

 LA RS SA UNDER SEAL COMPLAINT OUT OF DISTRICT AFFIDAVIT INDICTMENT INFORMATION SUMMONS EXTRADITION PSA/PO WARRANT SUPER FAST TRACK (Class B Misdemeanor)

FILED: 9-27-05

VIOLATION: 18, 239(c) + 1, 506(a)(1)(B)

DATE: 10-25-05

TIME: 8:00 am

TAPE NUMBER: CS 10-25-05

PROCEEDINGS HELD BEFORE UNITED STATES
MAGISTRATE JUDGE CraneCALENDAR/PROCEEDINGS SHEET
LOCAL/OUT-OF-DISTRICT CASEPRESENT: Linda JacksonDeputy Clerk WilliamsAbigail Evans BrianAssistant U.S. Attorney Hoffstadt

Interpreter / Language

n/a

- Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and preliminary hearing OR removal hearing / Rule 20.
- Defendant states true name is as charged is
- Defendant advised of consequences of false statement in financial affidavit. Financial Affidavit ordered SEALED.
- Attorney: Philip Deitch Retd. Apptd. Pro Apptd. DPPD Panel Poss. Contribution Ordered (see separate order) Special appearance by: Brian Newman
- Government's request for detention is: GRANTED DENIED WITHDRAWN CONTINUED
- Defendant is ordered: Permanently Detained Temporarily Detained (see separate order)
- BAIL FIXED AT \$ 5,000 unsecured AB (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)
- Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: GRANTED DENIED
- Preliminary Hearing waived.
- SUPER FAST TRACK Defendant is advised of maximum penalties.
- This case is assigned to Magistrate Judge _____ Counsel are directed to contact the clerk for the setting of further proceedings.
- PO/PSA WARRANT Counsel are directed to contact the clerk for District Judge _____ for the setting of further proceedings.
- Preliminary Hearing set for _____ at 4:30 PM
- Post-Indictment Arraignment set for: 11/28/05 at 8:30 AM in LA at 3:00 PM in Riverside; at 10:00 AM in Santa Ana
- Government's motion to dismiss case/defendant _____ only: GRANTED DENIED
- Defendant's motion to dismiss for lack of probable cause: GRANTED DENIED
- Defendant executed Waiver of Rights. Process received.
- Court ORDERS defendant Held to Answer to _____ District of _____
- Bond to transfer, if bail is posted. Defendant to report on or before _____
- Warrant of removal and final commitment to issue. Warrant of removal and final commitment are ordered stayed until _____
- Case continued to (Date) _____ (Time) _____ AM / PM
- Type of Hearing: _____ Before Judge _____ /Duty Magistrate Judge. Proceedings will be held in the Duty Courtroom Judge's Courtroom _____
- Defendant committed to the custody of the U.S. Marshal Summons: Defendant ordered to report to USM for processing.
- Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.
- Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.

RELEASE ORDER NO:

 Other: Government states that information filed today PSA FINANCIAL READY

cc: AUSA, Defendant's counsel

 PSALA, PSASA, PSAED, USPO

ORIGINAL - WHITE COPY

PINK - PIA CLERK

YELLOW - STATS

GREEN - CRD

OCT 26 2005

Deputy Clerk Initials TT

O : 05

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

CASE NUMBER:

COMPLAINT:

INDICTMENT INFORMATION:

VIOLATION OF TITLE:

SECTION:

Michael J. Fousse
 Defendant Material Witness.

*05-2022m-3**CP05-1034**18:17 2314(c)(3) & 506(a)(1)(B)* PERSONAL RECOGNIZANCE (Signature only - no dollar amount) UNSECURED APPEARANCE BOND IN THE AMOUNT OF \$ 5,000

RELEASE No. _____

 APPEARANCE BOND IN THE AMOUNT OF \$ _____ RELEASE TO PRETRIAL ONLY WITH CASH DEPOSIT (AMOUNT OR %) _____ FORTHWITH RELEASE WITH AFFIDAVIT OF SURETY NO JUSTIFICATION (Form CR-4)
_____ ALL CONDITIONS OF BOND WITH AFFIDAVIT WITH JUSTIFICATION OF SURETY (Form CR-3)
_____SHALL BE MET AND BOND
POSTED BY: _____*Date* WITH DEEDING OF PROPERTY COLLATERAL BOND IN AMOUNT OF (Cash or Negotiable Securities) \$ _____ CORPORATE SURETY BOND IN AMOUNT OF (Separate Form Required) \$ _____ ADDITIONAL REQUIREMENTS: _____ BAIL FIXED BY COURT 500 ALL REQUIREMENTS HAVE BEEN MET: ✓ Hackney
Deputy Clerk *Deputy Clerk*

PRE-CONDITIONS TO RELEASE

 Bail is subject to Nebbia hearing which is a hearing to inquire about the source of the collateral. The Nebbia hearing can be waived by the government.

ADDITIONAL CONDITIONS OF RELEASE

In addition to the GENERAL CONDITIONS of RELEASE, as specified on other side, the following conditions of release are imposed upon you:

 Defendant shall submit to: Pretrial Supervision. Intensive Pretrial Supervision. Surrender all passports to the Clerk of Court, or sign a declaration no later than, _____ and not apply for the issuance of a passport during the pendency of this case. Travel is restricted to: CD/CA _____ Do not enter premises of any airport, seaport, railroad, or bus terminal which permits exit from the Continental U.S. or area of restricted travel without Court permission. Reside as approved by PSA and do not relocate without prior permission from PSA. Maintain or actively seek employment and provide proof to PSA. Maintain or commence an educational program and provide proof to PSA. Avoid all contact, directly or indirectly, with any person who is or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: _____ Not possess any firearms, ammunition, destructive devices, or other dangerous weapons. In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal. Not use/possess any identification other than in your own legal name or true name. In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the U.S. Marshal. Not use alcohol. Not use or possess illegal drugs. In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal. Submit to drug [and/or] alcohol testing and outpatient treatment as directed by PSA. You shall pay all or part of the cost for testing and treatment based upon your ability to pay as determined by PSA. Participate in residential drug [and/or] alcohol treatment as deemed necessary by PSA. You shall pay all or part of the cost for treatment based upon your ability to pay as determined by PSA. Release to PSA only. Participate in mental health evaluation, and/or counseling and/or treatment as directed by PSA. You shall pay all or part of the costs based upon your ability to pay as determined by PSA.Defendant Initials MJF Date 10/25/05

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Michael J. Fousse

CASE NUMBER:

05-2022M-3 CKOS-1034

Defendant/Material Witness.

- Participate in one of the following home confinement program components and abide by all requirements of the program which [] will or [] will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by PSA.
- [] Curfew. You are restricted to your residence every day: [] from _____ to _____. [] as directed by PSA.
[] Release to PSA only.
- [] Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court-ordered obligations; or other activities as pre-approved by PSA. [] Release to PSA only.
- [] Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment; religious services; and court appearances as pre-approved by PSA. [] Release to PSA only.
- Not possess or have access to, either in the home, the workplace, or any other location, any device which offers Internet access, except as approved by PSA. [] In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal.
- Not associate or have verbal, written, telephonic, or electronic communication with any person who is less than the age of 18 except in the presence of another adult who is the parent or legal guardian of the minor.
- Not loiter/be found within 100 feet of any school yard, park, playground, arcade, or other place primarily used by children under the age of 18.
- Not be employed by, affiliate with, own, control, or otherwise participate directly or indirectly in conducting the affairs of any daycare facility, school, or other organization dealing with the care, custody, or control of children under the age of 18.
- Not view or possess child pornography or child erotica. [] In order to determine compliance, you will agree to submit to a search of your person and/or property, including computer hardware and software, by Pretrial Services in conjunction with the US Marshal.
- Other conditions: _____

✓ 10/25/05

Date

✓ Michael J. Fousse

Defendant/Material Witness Signature

✓ 562-355-4123

Telephone Number

N/A

Address (please print)

✓ Monrovia, CA 91016

City, State And Zip Code

- Check if interpreter is used: I have interpreted into the _____ language all of the above conditions of release and have been told by the defendant that he or she understands all of the conditions of release.

Interpreter's signature

Date

Approved:

Paul Game

United States District Judge / Magistrate Judge

October 25, 2005

Date

If Cash Deposited: Receipt # _____

For \$ _____

(This bond may require surety agreements and affidavits pursuant to Local Criminal Rules 46-3.2 and 46-6)

ORIGINAL - YELLOW COPY

PINK - PRETRIAL SERVICES

WHITE - DEFENDANT COPY